

RESPONSE TO COMMENTS
CITY OF AUBURN
WASTEWATER TREATMENT PLANT
PLACER COUNTY
TENTATIVE NPDES PERMIT
AND CEASE AND DESIST ORDER

The tentative NPDES Permit (Tentative Permit) and Cease and Desist Order were issued for public review on 9 September 2004. The City submitted comments on 4 and 13 October 2004. Comments from the Ophir Area Property Owners Association were received on 5 October 2004. No other comments were received.

The treatment system consists of bar screening; grit removal; biological treatment in an oxidation ditch and unlined, aerated equalization pond(s), including nitrification; secondary sedimentation; coagulation and filtration; disinfection; and dechlorination. Sludge is dewatered with a belt filter press and removed to a landfill.

COMMENTS RECEIVED FROM CITY OF AUBURN 4 OCTOBER 2004

COMMENT 1 AND RESPONSE: Hardness Used in Determining Reasonable Potential and Compliance The City's 4 October 2004 comment letter principally regards hardness data utilized for establishing reasonable potential. The City has recommended that effluent data alone be utilized to establish whether hardness-dependent metals present a reasonable potential to exceed water quality standards. While we believe the comments have merit, the situation for Auburn is unique in that the effluent and receiving stream hardness values have a potential to shift dramatically. Not only are we faced with potential hardness shifting, but also the available dilution is considered minimal and can fluctuate greatly. Because of the potential for greatly varying hardness and dilution, utilization of a conservative hardness value, at R-2, is warranted. It should be noted, however, that while the worst-case hardness, at R-1, was utilized to establish reasonable potential, compliance with the proposed permit limitations utilize actual time-of-sampling hardness data which is fully protective of water quality while eliminating unwarranted violations. The proposed permit has not been modified based on this set of comments.

COMMENTS RECEIVED FROM CITY OF AUBURN 13 OCTOBER 2004

The City of Auburn submitted the following comments on groundwater-related portions of the proposed permit.

COMMENT 2: Finding 5, First Sentence The first sentence should be changed to read: "The Discharger utilizes clay lined equalization ponds." Ponds 1, 2, 3, and 4 are lined with 6 to 8 inches of clay.

RESPONSE: Because of the age and lack of knowledge on behalf of the City with regard to the construction or current condition and because our review of the data shows the facility has degraded groundwater quality, we have no confidence that the clay liner provides any protection for groundwater. Therefore, we don't believe that the City's requested change is appropriate for the proposed Order.

COMMENT 3: Finding 5, Second Sentence The second sentence should be changed to read: “The quality of the treated domestic wastewater contained in the lined advanced treatment pond 1A, the lined storm water storage Ponds 2 and 3, and the lined treated water and storm water equalization Pond 4 is largely uncharacterized.” As noted above, all of the ponds are lined with a six to eight inch layer of clay. Pond 1 is an advanced treatment pond with four cells. The first cell has nine 7.5 horse power aerators and the final three settling cells each have one 7.5 horse power aerator. All of the influent flow is directed to either the oxidation ditch or Pond 1A or both. Pond 1A discharges treated water to the oxidation ditch and Pond 4. During wet weather and when Pond 4 has filled, excess flows are directed from Pond 1A to Pond 2 and then to Pond 3 for storage until the level has dropped in Pond 4 at which time the stored water in Ponds 2 and 3 can be drained to Pond 4.

RESPONSE: “Advanced treatment” is a term typically reserved to describe treatment beyond secondary. Pond 1 provides primary treatment, prior to wastewater entering the clarification process. The use of “advanced treatment” would likely be misinterpreted by technical readers and has not been added. Because of the age and lack of knowledge on behalf of the City with regard to the construction or current condition, we have no confidence that the clay liner provides any protection for groundwater. Therefore, we don’t believe that the City’s requested change is appropriate for the proposed Order.

COMMENT 4: Finding 5, Next-to-Last Sentence: The next to the last sentence should be deleted since the ponds are lined and the statement, we believe, is incorrect.

RESPONSE: Because of the age and lack of knowledge on behalf of the City with regard to the construction, we have no confidence that the clay liner provides any protection for groundwater. Therefore, we don’t believe that the City’s requested change is appropriate for the proposed Order.

COMMENT 5: Finding 5, Last Sentence The last sentence should be changed to read: “Based on groundwater monitoring data submitted by the Discharger, pollutants have not migrated to groundwater.” The evidence for this conclusion is provide below in our comments to items 50, 51, and 52.

RESPONSE: As stated in Finding 53 of the proposed NPDES permit, “...*BPTC is not being provided for the land disposal of wastewater at this facility. Waste treatment and control at this facility could include, but is not necessarily limited to, lining of the pond(s) regularly containing untreated or partially treated wastewater. The ponds provide for emergency storage and equalization of the influent flow; technology is readily and cost-effectively available to achieve these worthwhile goals, without allowing percolation to groundwater.*” A consultant for the City has stated that the equalization pond was lined with 6”-8” of bentonite clay in 1962 (approximately), but that there is no information available regarding compaction of the clay lining or the current integrity of the liner. The consultant stated that he personally saw the clay when the pond was being trenched. Such trenching further calls in to question the integrity of the liner. The rate of percolation of the untreated and partially treated sewage contained in the equalization basin is unknown; however, it is the experience of Regional Board staff that such facilities will allow for the percolation of waste constituents to

groundwater. Regional Board staff have reviewed the groundwater monitoring data for the site and have concluded that the facility has degraded groundwater. The proposed Order contains Provision G.6, which includes a time schedule requiring the Discharger to implement BPTC.

COMMENT 6: Finding 50, First Sentence The first sentence should be changed to read: “Based on information included in analytical laboratory results submitted by the discharger as part of its quarterly groundwater monitoring reports, the stormwater and treated water contained in the lined ponds has not degraded underlying groundwater for total dissolved solids (TDS).” The arguments in support of this statement follow.

1. The ponds are lined with a six to eight inch layer of clay.
2. The groundwater monitoring data since 1993 from the monitoring wells at the plant is summarized in Table 1. MW 5 has been defined as the upgradient well representing background water quality. A graph of the TDS data for this 11 year period is attached as Figure 1. A graph of the of the TDS data for the last five years is attached as Figure 2. As indicated in the graphs, the TDS of the upgradient well has been increasing over time and is currently around 160 mg/L. Item 5 of the Tentative WDR indicates that the TDS concentration in the ponds is 200 mg/L. Thus leakage from the ponds could only raise the TDS from 160 to 200 mg/L. However, MW 1, 2, and 3 are fairly consistent in their TDS concentration at an average of around 290 mg/L. MW 4 has shown an increase in TDS over time from about 300 mg/L to 400 mg/L. Further, MW 4 is directly downgradient of MW 3 and there is not a pond in between them. Whatever is causing the increase in TDS in MW 4 is not coming from the treatment or storage ponds.
3. The background groundwater quality is defined as the water quality of Well 5. However, based on the location of MW 5, it is possible that MW 5 is being diluted by leaks from the canal and may not be truly representative of background water quality. It still needs to be determined what represents background water quality at the WWTP.

RESPONSE: Based on the data submitted by the City as being representative of upgradient and downgradient groundwater quality, the TDS concentrations in the downgradient groundwater have consistently been significantly higher than the TDS concentrations in the upgradient groundwater at all downgradient monitoring wells. Please see the response to Comment 5.

COMMENT 7: Finding 51, First Sentence The first sentence should be changed to read: “Based on information included in analytical laboratory results submitted by the discharger as part of its quarterly groundwater monitoring reports, the stormwater and treated water contained in the lined ponds has not degraded underlying groundwater for nitrate.” The arguments in support of this statement follow.

1. The ponds are lined with a six to eight inch layer of clay.
2. The groundwater monitoring data since 1993 from the monitoring wells at the plant is summarized in Table 1. A graph of the nitrate data for the 11 year period is attached as Figure 3. A graph of the of the nitrate data for the last five years is attached as Figure 4. The nitrate

concentration in MW 5, the upgradient well, is higher than the nitrate concentration in MW 2 and 4. The nitrate in MW 1 is only slightly higher than that in MW 5. The only well that shows any increase in nitrate is MW3. Two waste activated sludge holding basins used to be located adjacent to MW 3. The sludge holding basins were abandoned in 1996. The nitrate in MW 3 has been decreasing ever since the sludge holding basins were abandoned. A trend line for nitrate in MW 3 shows that nitrate in MW 3 is decreasing towards background levels, see Figure 4. Thus no additional mitigation for nitrate is required at the WWTP.

3. Item 5 of the Tentative WDR indicates that the ammonia concentration in the ponds is 14 mg/L-N. Any wastewater ammonia would be converted to nitrate soon after it entered the soil and groundwater. Thus if the ponds were leaking, the concentration of nitrate in groundwater would be expected to be increasing towards 14 mg/L-N. Since nitrate in groundwater has remained constant at background levels at MW 1, 2, and 4, the nitrate data provides evidence that the ponds are not degrading nitrate in groundwater and thus not leaking. Note also that the ammonia concentration in MW 1, 2, 3, and 4 has been consistently non-detect.

RESPONSE: Based on the data submitted by the City as being representative of upgradient and downgradient groundwater quality, the nitrate concentrations in the downgradient groundwater at MW-3 have consistently been significantly higher than the nitrate concentrations in the upgradient groundwater at MW-5. Please see the response to Comment 5.

COMMENT 8: Finding 52, First Sentence The first sentence should be changed to read: “Based on information included in analytical laboratory results submitted by the Discharger as part of its quarterly groundwater monitoring reports, the stormwater and treated water contained in the lined ponds has not degraded underlying groundwater for total coliform organisms and caused exceedance of the Basin Plan groundwater bacteria objective of 2.2 MPN/100 ml.” The arguments in support of this statement follow.

1. The ponds are lined with a six to eight inch layer of clay.
2. The groundwater monitoring data since 1993 from the monitoring wells at the plant is summarized in Table 1. A graph of the total coliform bacteria data for the last five years is attached as Figure 5. A graph of the fecal coliform bacteria data for the last five years is attached as Figure 6. Figures 5 and 6 do not show any trends.
3. The upgradient well, MW-5, shows levels of total coliform organisms in exceedance of the Basin Plan groundwater bacteria objective of 2.2 MPN/100 ml about 40 percent of the time: December 1, 1997; June 9, 1998, September 14, 1998; January 5, 1999; March 15, 1999; December 5, 2000; December 21, 2001; February 26, 2002; April 30, 2003; February 5, 2004; and May 5, 2004. One would conclude that the natural background water quality is contaminated with total coliform organisms. Total coliform organisms occur naturally and is not a good indicator of human pollution. Even fecal coliform is not a perfect indicator but is preferred as its source is limited to warm blooded animals.

4. The median fecal coliform count for four of the monitoring wells is <1.1 MPN/100 ml and for MW-2 it is <2 MPN/100 ml, see Table 1. This does not indicate contamination of groundwater for fecal coliform which would be expected if the treatment and stormwater storage ponds were leaking.
5. The data in Table 1 shows that the phosphorous concentration in the ponds is 4 mg/L and that phosphorous has not been detected in groundwater since 2000, see Figure 7. Thus groundwater is not degraded for phosphorous at the WWTP.
6. If nitrate, ammonia, fecal coliform, and phosphorous are not leaking from the ponds, it is not possible that total coliform bacteria are leaking from the ponds.
7. The source of total coliform bacteria in groundwater at the WWTP needs to be investigated. Possible sources include natural background levels, surface water contamination from birds and animals that frequent the area of the WWTP and intrusion through fractured rock or thin rocky soil, or leaks from the drainage canal.

RESPONSE: Based on the data submitted by the City as being representative of upgradient and downgradient groundwater quality, the total coliform organisms concentrations in the downgradient groundwater at MW-3 have consistently been significantly higher than the nitrate concentrations in the upgradient groundwater at MW-5. Please see the response to Comment 5.

COMMENT 9: Finding 53 Item 53 must be deleted in its entirety. The reasons are as follows.

1. As discussed above, the information included in analytical laboratory results submitted by the Discharger as part of its quarterly groundwater monitoring reports does not indicate that groundwater has been degraded due to the ponds.
2. The WWTP is consistent with Resolution 68-16.
3. A time schedule to implement a BPTC is not required.

RESPONSE: Please see the response to Comment 5.

CITY COMMENT 10: Groundwater Limitation F.1: The total coliform limit cannot be met by even the upgradient well. The limit should either be:

1. Deleted until item G.5. Groundwater Monitoring Tasks is completed and the natural background water quality determined.
2. Replaced with fecal coliform since fecal coliform is a better indicator of human contamination than total coliform. The compliance period for determination of a median should be a seven sample period. In the last five years, all monitoring wells would have met a seven sample median of <2.2 MPN/100 ml.

3. Left as is and add total coliform in groundwater to the Cease and Desist Order No. R-5-2004-____ pending completion of item G.5.

RESPONSE: The Basin Plan water quality objective for groundwater for bacteria states: *“In ground waters used for domestic or municipal supply (MUN) the most probable number of coliform organisms over any seven-day period shall be less than 2.2/100 mL”* (page III-9.00). This limitation is both appropriate and necessary. Staff does not believe that the addition of the total coliform organisms limitation for groundwater to the proposed Cease and Desist Order is necessary.

CITY COMMENT 11: Groundwater Limitation F.2: The WWTP has no control over total coliforms in groundwater from background and natural sources.

RESPONSE: Comment noted. While the City does not necessarily have control over upgradient water quality, it does have the ability to control the integrity of the monitoring wells and the sampling of groundwater quality. Coliform organisms should not be present in groundwater. The City should review the design of the monitoring wells and sampling procedures to assure that the samples are representative of upgradient groundwater quality.

CITY COMMENT 12: Provision 5: Add to the end: “The report shall provide a determination of the impact of the WWTP ponds on groundwater quality and whether a Best Practical Treatment Control evaluation is necessary.”

RESPONSE: Please see the response to Comment 5.

CITY COMMENT 13: Provision 6: This item should be deleted in its entirety. Our analysis shows that groundwater has not been degraded at the WWTP and therefore a BPTC evaluation is not required at this time but the need for it would be addressed under item G.5.

RESPONSE: Please see the response to Comment 5.

CITY COMMENT 14: Groundwater Monitoring: Since there is no evidence that the WWTP has impacted groundwater, we request that the groundwater monitoring remain the same as the current groundwater monitoring program that includes quarterly monitoring for TDS, chloride, nitrate (as N), ammonia (as N), phosphorous, total coliform organisms, and fecal coliform. The groundwater monitoring program should remain the same until item G.5. is completed and a determination of natural background water quality made.

RESPONSE: Please see the response to Comment 5. Since other constituents of concern appear to have migrated to groundwater, it is appropriate and necessary to determine if other constituents of concern, such as those added to the proposed groundwater monitoring list, have also migrated to groundwater.

CITY COMMENT 15: Cease and Desist Order, Findings: We are recommending that limits on total coliforms in groundwater be eliminated or replaced by fecal coliform. If Groundwater Limitations for total coliform are to be included in the WDR, then a discussion of the total coliform present in the monitoring wells should be added to the findings so that total coliform in groundwater can be included in the Order. The following should be included in the Cease and Desist Order if the final WDR contains Groundwater Limitations for total coliform organisms.

1. Item 3. In this case, add: “Total coliform organisms have been detected at levels greater than a median of 2.2 MPN/100 ml over seven-sample time periods in all groundwater monitoring wells at the WWTP including the upgradient well.”
2. Item 4. Add to the end: “... and Groundwater Limitations for total coliform organisms.”
3. Item 5. The fourth paragraph should be changed to read: “Compliance with this Order exempts the Discharger from mandatory minimum penalties for violations of effluent aluminum, ammonia, chloroform, manganese, methyl tert butyl ether (MTBE), nitrite, nitrate+nitrite, and organochlorine pesticides limitations and groundwater limitations for total coliform organisms only, in accordance with California Water Code Section 13385(j)(3).”

RESPONSE: The Basin Plan contains a water quality objective for groundwater for total coliform organisms over a seven-day period, rather than for fecal coliform organisms over a seven-sample period. Mandatory minimum penalties apply only to violations of effluent limitations for discharges to surface waters and not to violations of groundwater limitations.

CITY COMMENT 16: Cease and Desist Order, “It is hereby Ordered...”: Change the first sentence to read: “... organochlorine pesticides Effluent Limitations and total coliform organisms Groundwater Limitations contained in ...”

RESPONSE: See response to Comment 15. Mandatory minimum penalties apply only to violations of effluent limitations for discharges to surface waters and not to violations of groundwater limitations.

The City of Auburn submitted the following comments on non-groundwater-related portions of the proposed permit.

COMMENT 17: Attachment H Attachment H. The formula for calculating the instantaneous maximum for silver is the same as the CCC formula for zinc and provides incorrect limits. Please verify that the formula for silver is correct.

RESPONSE: The formula listed was incorrect. The correct formula is $e^{[1.72 \ln(hardness) - 6.52]}$. The proposed permit has been corrected.

CITY COMMENT 18: Attachment I Attachment I. The CCC and CMC formulas are the same. Please verify that they should be the same as all of the other metals have different formulas.

RESPONSE: For total recoverable zinc, the CCC and CMC formulae are the same.

CITY COMMENT 19: Effluent Limitation B.8 Add the following as a second sentence: “Average daily dry weather discharge flow is defined as the average daily flow during the period from May 1 through October 31.”

RESPONSE: It is our experience that periods of wet and dry weather do not necessarily conform to set periods on the calendar. The requested change has not been made.

CITY COMMENT 20: Receiving Water Limitation E.11: Item 11 should be changed to read “The monthly average ambient temperature to increase more than 5°F.”

RESPONSE: Monthly averaging would allow for extremely high daily temperatures that could be toxic to aquatic life. Without a numeric maximum temperature limitation, the proposed averaging would not be protective of the beneficial uses of the receiving stream.

COMMENT 21: Effluent Monitoring: There is no monitoring requirement for MBAS but there is an effluent limit.

RESPONSE: Effluent monitoring for MBAS has been added as recommended. Thank you.

CITY COMMENT 22: Sludge Monitoring, First Paragraph: The first paragraph should be changed to read: “A composite sample of dewatered sludge shall be collected annually in accordance with EPA’s POTW Sludge Sampling and Analysis Guidance Document, August 1989, and tested for priority pollutants listed in 40 CFR 122 Appendix D, Tables II and III (excluding total phenols). The composite sample shall be a composite of a minimum of twelve (12) discrete samples taken at equal time intervals over 24 hours.”

RESPONSE: Comment noted. Change made.

CITY COMMENT 23: Sludge Monitoring, Third Paragraph: The first sentence of the third paragraph should be changed to read: “Annually by January 31, the Discharger shall submit an annual sludge report containing:

1. Annual sludge production in dry tons and per cent solids.
2. Quantitative results of chemical analysis for the priority pollutants listed in 40 CFR 122 Appendix D, Tables II and III (excluding total phenols).

RESPONSE: Comment noted. Change made.

OPHIR COMMENT 24: Finding 4: Item 4. and elsewhere: Average Summer Effluent Discharge Temperatures at near 74 degrees F. appear to be above the recommended ideal range for cold water fishery resources, including protected steelhead and salmon. We request that a Provision be added to the Tentative Permit requiring, in the very near future, a suitable study of thermal impacts on the Auburn Ravine aquatic community due to the discharge, with an emphasis on anadromous resources and macroinvertebrates. CDFG and NOAA Fisheries can provide expertise in appropriate study design and parameters.

RESPONSE: The DFG concern is when cold-water fish species are present; we have added specific numeric effluent to permits such as Lincoln and Roseville. Comparison of effluent and receiving water temperatures with numeric criteria would allow for the determination of any negative impacts from temperature. Regional Board staff proposes to add the following Provision to the proposed permit:

*The Discharger shall conduct a study of the thermal impacts of the discharge on the beneficial uses of Auburn Ravine. The Discharger shall submit a workplan for the study **within six months of the adoption date of this Order**. It is recommended that the workplan be reviewed by the California Department of Fish and Game and the National Marine Fisheries Service prior to submittal. The study shall assess compliance with this Order. The results of the study shall be submitted by **1 December 2006**.*

The Discharger shall submit to the Regional Board on or before each compliance due date, the specified document or a written report detailing compliance or noncompliance with the specific date and task. If noncompliance is reported, the Discharger shall state the reasons for noncompliance and include an estimate of the date when the Discharger will be in compliance. The Discharger shall notify the Regional Board by letter when it returns to compliance with the time schedule.

If, after review of the study results, it is determined that the discharge has reasonable potential to cause or contribute to an exceedance of a water quality objective, this Order may be reopened and effluent limitations added for temperature.

OPHIR COMMENT 25: Finding 5: Item 5. and elsewhere: The Discharger utilizes "unlined" equalization ponds. The surrounding Ophir Community some years ago discussed at length with both the Discharger and Regional Board staff, on more than one occasion, the very real concern that pollutants would escape the ponds and pose a potentially substantial threat to domestic wells and to the public. Based upon groundwater monitoring begun in 1996, pollutants have migrated to and degraded the groundwater. (e.g. TDS, nitrate, coliform organism concentrations) And technology is readily and cost-effectively available to prevent percolation of pollutants to groundwater. To allow yet another five years for resolution of the problem appears, at best, to be overly generous and does not appear sufficiently protective of the public. Additionally, we have been advised that the ponds will continue to be needed and used in the event the discharger ultimately connects to the Regional Wastewater facility. Irrespective of that, the ponds pose an unacceptable threat to the groundwater and to the surrounding population who must use domestic wells. We request that the tentative Permit require prompt and thorough studies of surrounding domestic well water, and that effective sealing of WWTP ponds and facilities be required with a significantly shorter compliance schedule. We are appreciative that the Tentative Permit does include groundwater limitations for coliform organisms, etc.

RESPONSE: We are unaware that there are any domestic wells in the vicinity of the WWTP. However, we have found that the City is not providing BPTC and are requiring elimination of percolation as a means of wastewater disposal. This will eliminate any further degradation. The City is considering tying into the regional WWTP, the closure (or lining) of the ponds is tied to that ultimate closure. It would be wasteful to line the ponds if they are going to be closed.

OPHIR COMMENT 26: Findings 7 and 37, Effluent Limitations B.3, and Provision 18; Compliance Schedule for CTR Constituents: Item 7., Cease and Desist Order, and elsewhere: The California Toxics Rule/CTR was adopted four years ago in May of 2000, while the National Toxics Rule was adopted in 1993. We believe that more than ample time for preparation and compliance by the discharger with impending Effluent Limitations was and is available. However, to allow until September of 2009 for compliance with revised Effluent Limitations, or a total of nine years from adoption of the CTR, appears excessive and not in the best interests of protection of the public health. We request that compliance with revised Effluent Limitations and the Cease and Desist Order be required on a far shorter time line.

RESPONSE: Compliance with CTR constituents can be quite complex. The permit complies with the State Board's policy (SIP) for implementation of the CTR and is also linked to tying into the regional WWTP.

OPHIR COMMENT 27: Finding 19; Chlorine: Item 19. and elsewhere: Chlorine effluent limitations are intended to protect receiving water aquatic life beneficial uses. Yet a long string of chlorine violations have occurred over the years, including two within the last two years, as well as a Bioassay violation. Some of us within the community have taken CDFG Bioassessment Training with its focus on the use of macroinvertebrates. We learned that even modest chlorine exposure will directly, and cumulatively, degrade the health of the aquatic community. Receiving Water Limitations, item 14, prohibit the degradation of aquatic communities. We need to know the actual stream impacts from WWTP operations, and violations, in the downstream community, both vertebrate and invertebrate.

The Basin Plan, item 10 in the Tentative Permit, notes that "The numerical and narrative water quality objectives define the least stringent standards that the Regional Board will apply to regional waters in order to protect beneficial uses." Elsewhere, leeway is given to the Regional Board to determine, on a case-by-case basis, appropriate discharge requirements.

Had the Discharger complied with a Superior Court Settlement Agreement of some four years ago and installed UV disinfection technology, chlorine would no longer be used for normal disinfection--and the recent chlorine violations, and impacts, would not have occurred due to the discharge.

Our request: Aside from prompt and strong enforcement measures for all violations, we believe that more stringent discharge requirements and groundwater objectives would provide some measure of protection to the public and aquatic communities. In addition, the discharger should be required to thoroughly assess actual stream impacts from the long and continuing series of chlorine-related violations via appropriate studies of the Auburn Ravine.

RESPONSE: We agree that chlorine is quite toxic; we do not see the need to confirm this by special studies. Given the length of time since the last chlorine violation, it is likely that the receiving stream is fully recovered; a study performed now would probably not show any impacts. The permit contains appropriate limits for chlorine. Violations are enforceable. We (the Regional Board) cannot tell a discharger how to comply with discharge limitations – we cannot prohibit the use of chlorine. We suspect that CTR limitations for individual trihalomethanes will eventually result in the elimination of the use of chlorine, if the regional WWTP is not the ultimate means of compliance.

OPHIR COMMENT 28: Antifoamant: Antifoamant is used, at times in substantial quantities, by the discharger. e.g. 25 gallons in July of 2004. We have asked the responsible parties, and have yet to receive an answer, as to what the impacts are to the aquatic community from use of this material.

We request that the Permit require an analysis of impacts due to use of antifoamant in the discharge.

RESPONSE: Antifoaming agents are commonly used at WWTPs. The antifoaming agents are typically food grade. A toxic antifoaming agent would be a change in the character of the wastewater discharge and would require submittal of a new RWD – therefore the requested study is not necessary.

OPHIR COMMENT 29: White Precipitate: We were glad to learn- and appreciate that you inspected the Auburn Ravine below the outfall October of 2003--during very low flows while annual maintenance by PG&E occurred. We understand that you confirmed that no white coating or precipitate was any longer evident in the stream bed. We would add that we failed to see notation or acknowledgement of said white coating in WWTP self-monitoring reports proximate to our initial observation and photographs. If such notations were present, we missed them; if not, we fail to understand why.

RESPONSE: At the time of the reported occurrence of white precipitate, the WWTP was using calcium thiosulfate as a dechlorinating agent. It is not unlikely that the calcium in the calcium thiosulfate was precipitating and causing the white deposit. The City has discontinued the use of calcium thiosulfate at the WWTP and the white precipitation is not expected to occur again.

OPHIR COMMENT 30: Oversight/Board Position: The Regional Board has oversight responsibility for this facility. Examination of both recent- and nearly four decades of WWTP/discharger performance shows significant problems which are the basis of our requests. We believe that history and context are important in considering our comments, and request that the Board take a firm stand this time on behalf of the interests of the public and resources too long put at risk by this facility.

RESPONSE: We appreciate your comments. Staff believes that the proposed permit and cease and desist order are protective of all beneficial uses.